

REMARKS

For the Examiner's convenience and reference, Applicant's remarks are presented in the order in which the corresponding issues were raised in the Office Action. the distinctions identified and discussed below are presented solely by way of example to illustrate some of the differences between the claimed invention and the cited references. In addition, Applicant requests that the Examiner carefully review any references discussed below to ensure that Applicant's understanding and discussion of the references, if any, is consistent with the Examiner's understanding.

STATUS OF THE DRAWINGS

The drawings stand objected to under 36 C.F.R. § 1.83(a) for failing to show the "receivers" as claimed. Applicants have replaced Figure 1. Specifically, Applicants have amended Figure 1 to show one embodiment of the first and second receiver recited in at least some of the claims. Additionally, Applicants have amended Figure 5 to identify the parts of a receiver recited in at least some of the claims. No new matter has been added.

STATUS OF THE SPECIFICATION

Applicants have amended the specification to clarify the drawing description for Figure 2a. The specification has also been amended to identify the receivers that are shown in the replacement drawing sheet for Figure 1.

STATUS OF THE CLAIMS

Claims 1-30 remain in the case. Claims 1-30 stand rejected. Claims 1, 3, 4, 9-11, 13, 14, 16, 18, 19, 21, 23, 24, 27, 28 have been amended. No new claims have been added. Claims 2 and 12 have been canceled.

RESPONSE TO CLAIM REJECTIONS UNDER 35 U.S.C. § 102(b)

Claims 1-6, 8, 9, 11-14, 16, 21, 24, 25 and 27 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,445,587 to Pavol (hereinafter "Pavol"). Applicants

respectfully assert that Pavol does not teach or suggest all of the elements of the rejected claims in view of the amendments and the following remarks.

With regard to independent Claim 1, Applicants respectfully submit that amended Claim 1 is patentable over the cited reference. Claim 1 as amended states:

An enclosure for storing at least one storage device, comprising:
an enclosure chassis;
a mounting surface **oriented vertically and** coupled to the enclosure chassis **to form one wall of a drive bay**, the mounting surface configured to receive a **horizontally oriented** storage device carrier, and the mounting surface having a first layer and a second layer;
a viscoelastic layer disposed between the first layer and the second layer to reduce vibration propagation throughout the mounting surface; and
a receiver secured to the mounting surface and configured to **retain** a first storage device carrier substantially **perpendicular** to the mounting surface.

(emphasis added).

Applicants respectfully submit that amended Claim 1 clearly recites features not taught or suggested in Pavol. Pavol, in general, is directed toward a resilient layer and cover disposed between a drive tray housing and a drive module. Pavol, Abstract. Figure 2 and the accompanying description in col. 3, line 21 – col. 3, line 35 describe the resilient layer in relation to the drive module. Various positions for the resilient layer are then also described in relation to Figures 3-6.

Pavol fails to disclose “a receiver secured to the mounting surface and configured to retain a first storage device carrier,” as recited in amended Claim 1. This element was originally in Claim 2. The Office Action asserts that the bay 108 of Pavol constitutes the receiver recited in amended Claim 1.

Applicants respectfully disagree with the interpretation. The bay 108 is simply an opening capable of receiving the drive module. The bay 108 is not secured to the mounting surface. Furthermore, Applicants have amended Claim 1 to clarify the claimed invention in relation to Pavol. Specifically, Claim 1 recites a vertical mounting surface forming one wall, a horizontal storage device carrier, and a receiver. Support for these amendments is found in paragraph 29.

As indicated in amended Claim 1, the mounting surface is vertically oriented within the enclosure chassis. The mounting surface is not the entire surface of the drive bay. Instead, the mounting surface forms one wall of a drive bay. Applicants find no vertical mounting surfaces in Pavol that are secured to a receiver and comprise a single wall of the drive bay. The structures in Pavol closest resembling the vertical mounting surfaces are the bay sidewalls 136. Pavol Figure 3, col. 5, lines 4-15. However, these bay sidewalls 136 do not include any receivers.

A receiver is a specific mechanical structure that is secured to the vertical mounting surface. The receiver may comprise a pair of rails formed from the vertical mounting surface or a different structure joined to the vertical mounting surface. In addition, the bay 108 is not secured to the mounting surface. As illustrated in amended Figure 1, the receiver may include a pair of parallel rails that engage the sides of the storage device carrier. See amended Figure 5. This engagement retains the storage device carrier perpendicular to the mounting surface. In certain embodiments, this retention is such that one storage device carrier does not contact an adjacent storage device carrier.

Pavol fails to teach or disclose any structure that retains a storage device carrier perpendicular to the mounting surface. The vertical orientation of the mounting surface that includes a receiver combined with the horizontal orientation of the storage device carrier permits the present invention to have a minimal height in relation to conventional enclosures. Keeping this height minimal while still providing high storage density is one advantage of the claimed invention. Pavol discloses vertical drive modules which require more height for the drive bays than the horizontally oriented storage device carriers of the claimed invention.

At most, Pavol discloses the interior of a vertical drive bay having no receiver structures for retaining the storage device carriers. Pavol also does not teach or suggest, a mounting surface that forms one wall of a drive bay.

Furthermore, the Office Action fails to show any teaching or suggestion by Pavol of components able to serve as “a mounting surface **oriented vertically and** coupled to the enclosure chassis **to form one wall of a drive bay**” or “a receiver secured to the mounting surface and configured to **retain** a first storage device carrier substantially **perpendicular** to the

mounting surface.” Applicants respectfully assert that the Office Action fails identify any components capable of serving these functions.

Given that Pavol fails to teach or suggest all of the elements recited in amended Claim 1 of the present application, Applicants respectfully submit that amended independent Claim 1 is patentable over Pavol. Applicants also request that the rejection of amended Claim 1 under 35 U.S.C. § 102(b) be withdrawn. Given that dependent Claims 2-6, and 8 depend from claim 1, Applicants respectfully submit that Claims 2-6, and 8 are also patentable over Pavol and request that the rejection of dependent Claims 2-6 under 35 U.S.C. § 102(b) also be withdrawn.

With regard to the rejection of independent Claim 9, Applicants respectfully submit that amended Claim 9 is patentable over the cited reference. Amended Claim 9 states:

A system for storing at least one storage device, comprising:
an enclosure chassis;
a mounting surface oriented vertically and coupled to the enclosure chassis to form one wall of a drive bay, the mounting surface having a first layer and a second layer and a viscoelastic layer disposed between the first layer and the second layer to reduce vibration propagation throughout the mounting surface;
a first and second storage device carrier configured to retain a storage device therein; and
a first and second receiver secured to the mounting surface, the receivers configured to receive and retain the storage device carriers substantially perpendicular to the mounting surface.

(emphasis added).

To support the rejection of Claim 9, the Office Action references the discussions of Claims 1 and 2. Applicants submit that the Office Action fails to show that Pavol teaches or discloses all of the elements of Claim 9 as discussed above. In particular, the Office Action fails to show any disclosure by Pavol of “first and second receiver” as recited in the claim. The distinctions related to the receiver as well as the other amendments in Claims 1 and 9 are discussed above. Where Claim 9 recites a second receiver, Applicant submits that Claim 9 is allowable for at least the same reasons set forth regarding Claim 1.

Given that the Office Action fails to show how Pavol teaches or suggests all of the elements recited in amended Claim 9 of the present application, Applicants respectfully submit that amended independent Claim 9 is patentable over Pavol. Given that dependent Claims 10-14

and 16 depend from Claim 9, Applicants respectfully submit that Claims 10-14 and 16 are also patentable over Pavol and request that the rejection of dependent Claims 10-14 and 16 under 35 U.S.C. § 102(b) also be withdrawn.

With regard to the rejection of independent Claim 21, Applicant respectfully submits that claim 21, as amended, is patentable over the cited reference. Amended Claim 21 states:

A method for reducing vibration originating from at least one storage device, comprising the steps of:

- providing an enclosure chassis configured to store at least one storage device;
- providing a mounting surface oriented vertically and coupled to the enclosure chassis to form one wall of a drive bay, the mounting surface configured for receiving a horizontally oriented storage device carrier;
- providing a first layer on the mounting surface;
- providing a second layer on the mounting surface; and
- providing a viscoelastic layer disposed between the first and second layer of the mounting surface for reducing vibration propagation throughout the mounting surface; and
- providing an interface shelf oriented horizontally and coupled to the enclosure chassis such that the interface shelf isolates horizontal storage device bays above the interface shelf from storage device bays below the interface shelf.**

(emphasis added)

Applicants have amended Claim 21 to include the novel elements included in independent Claims 1 and 9. Specifically, Claim 21 recites a vertical mounting surface forming one wall and a horizontal storage device carrier. In addition, Claim 21 recites an interface shelf. The interface shelf isolates drive bays above the shelf from drive bays below the shelf. Support for this amendment is found in the specification in paragraph 29.

Applicants submit that amended independent Claim 21 is patentable over Pavol because Pavol fails to teach or suggest all of the elements of amended independent Claim 21.

With regard to the rejection of independent Claim 24, Applicant respectfully submits that Claim 24, as amended, is patentable over the cited reference. Amended Claim 24 states:

An apparatus for reducing vibration originating from at least one storage device, comprising:

- an enclosure chassis configured to store at least one storage device;
- a mounting surface oriented vertically and coupled to the enclosure chassis to form one wall of a drive bay, **the mounting surface configured**

to receive less than three horizontally oriented storage device carriers and having a damping means for damping the vibrational energy generated by the storage device and received by the mounting surface; and
an interface shelf oriented horizontally and coupled to the enclosure chassis such that the interface shelf isolates horizontal storage device bays above the interface shelf from storage device bays below the interface shelf.

(emphasis added)

Applicants have amended Claim 24 to include the novel elements included in independent Claims 1 and 9. Specifically, Claim 24 recites a vertical mounting surface forming one wall, a horizontal storage device carrier, and an interface shelf. In addition, Claim 24 recites “the mounting surface configured to receive less than three horizontally oriented storage device carriers.” The limitation of storage device carriers to two or less reduces the number of storage devices that can be connected to a single mounting surface, which in turn limits the amount of vibrations that must be damped. Support for this amendment is found in the specification in amended Figure 2 where receivers 115 for up to two storage device carriers are illustrated.

Applicants submit that amended independent Claim 24 is patentable over Pavol because Pavol fails to teach or suggest all of the elements of amended independent Claim 24. In particular, Pavol certainly does not teach an interface shelf as recited or a mounting surface limited to receiving two or fewer storage device carriers.

Given that dependent Claims 25 and 27 depend from Claim 24, Applicants respectfully submit that Claims 25 and 27 are also patentable over Pavol and request that the rejection of dependent Claims 25 and 27 under 35 U.S.C. § 102(b) also be withdrawn.

RESPONSE TO CLAIM REJECTIONS UNDER 35 U.S.C. § 103(a)

Claims 7, 15, 22, and 26 stand rejected under 35 U.S.C. § 103(a) as being obvious in view of Pavol in view of U.S. Patent No. 5,858,509 to Polch (hereinafter “Polch”). Applicants respectfully assert that neither Pavol nor Polch teach or suggest all of the elements of the rejected claims in view of the amendments and the following remarks. To establish obviousness, the combination of the prior art references must teach or suggest all the claim limitations. See MPEP § 2142.

Applicant respectfully asserts that Pavol and Polch fail to teach or suggest all the claim limitations of the amended independent Claims 1, 9, 18, 21, and 24. Specifically, the references fail to teach or disclose “a receiver secured to the mounting surface and configured to retain a first storage device carrier,” or “a vertical mounting surface forming one wall and a horizontal storage device carrier.” Other limitations found in certain independent claims are also lacking in Pavol or Polch. For example, Pavol and Polch fail to teach, disclose or suggest “an interface shelf” or a “mounting surface configured to receive less than three horizontally oriented storage device carriers.” as recited in the amended independent claims. The references fail to teach or disclose involving a user in the ranking or re-ranking of documents in a result set.

The Office Action relies heavily on Pavol to reject independent Claims 1, 9, 18, 21, and 24 under 35 U.S.C §102(b) and then relies on this argument in support of a rejection of claims 7, 15, 22, and 26. Applicants assert that because Pavol fails to include the novel elements that are part of amended independent Claims 1, 9, 18, 21, and 24 and Polch fails to teach or suggest the missing elements, Claims 7, 15, 22, and 26 are nonobvious in view of Pavol and Polch due to the dependency.

Claims 10, 17, and 23 stand rejected under 35 U.S.C. § 103(a) as being obvious in view of Pavol in view of U.S. Patent No. 6,209,842 to Anderson et al. (hereinafter “Anderson”). Applicants respectfully assert that neither Pavol nor Anderson teach or suggest all of the elements of the rejected claims in view of the amendments and the following remarks. To establish obviousness, the combination of the prior art references must teach or suggest all the claim limitations. See MPEP § 2142.

Applicant respectfully asserts that Pavol and Anderson fail to teach or suggest all the claim limitations of the amended independent Claims 1, 9, 18, 21, and 24. Specifically, the references fail to teach or disclose “a receiver secured to the mounting surface and configured to retain a first storage device carrier,” or “a vertical mounting surface forming one wall and a horizontal storage device carrier.” Other limitations found in certain independent claims are also lacking in Pavol or Anderson. For example, Pavol and Anderson fail to teach, disclose or suggest “an interface shelf” or a “mounting surface configured to receive less than three horizontally oriented storage device carriers.” as recited in the amended independent claims. The

references fail to teach or disclose involving a user in the ranking or re-ranking of documents in a result set.

The Office Action relies heavily on Pavol to reject independent Claims 1, 9, 18, 21, and 24 under 35 U.S.C §102(b) and then relies on this argument in support of a rejection of claims 7, 15, 22, and 26. Applicants assert that because Pavol fails to include the novel elements that are part of amended independent Claims 1, 9, 18, 21, and 24 and Anderson fails to teach or suggest the missing elements, Claims 7, 15, 22, and 26 are nonobvious in view of Pavol and Anderson due to the dependency.

Claims 18 and 28-30 stand rejected under 35 U.S.C. § 103(a) as being obvious in view of Pavol in view of U.S. Patent No. 6,775,142 to Bell et al. (hereinafter “Bell”). Applicants respectfully assert that neither Pavol nor Bell teach or suggest all of the elements of the rejected claims in view of the amendments and the following remarks. To establish obviousness, the combination of the prior art references must teach or suggest all the claim limitations. See MPEP § 2142.

Applicant respectfully asserts that Pavol and Bell fail to teach or suggest all the claim limitations of the amended independent Claims 1, 9, 18, 21, and 24. Specifically, the references fail to teach or disclose “a receiver secured to the mounting surface and configured to retain a first storage device carrier,” “a vertical mounting surface forming one wall and a horizontal storage device carrier,” or “a key..secured..on the bezel.” Bell fails to teach or suggest a key on the bezel, which is the front handle portion. Instead, Bell teaches keys on a bottom rail 124. See Bell col. 3, lines 64-67.

Other limitations found in certain independent claims are also lacking in Pavol or Anderson. For example, Pavol and Bell fail to teach, disclose or suggest “an interface shelf ” or a “mounting surface configured to receive less than three horizontally oriented storage device carriers.” as recited in the amended independent claims. The references fail to teach or disclose involving a user in the ranking or re-ranking of documents in a result set.

The Office Action relies heavily on Pavol to reject independent Claims 1, 9, 18, 21, and 24 under 35 U.S.C §102(b) and then relies on this argument in support of a rejection of claims 18 and 28-30. Applicants assert that because Pavol fails to include the novel elements that are part

of amended independent Claims 1, 9, 18, 21, and 24 and Bell fails to teach or suggest the missing elements, Claims 18 and 28-30 are nonobvious in view of Pavol and Bell due to the dependency.

Claims 19 and 20 stand rejected under 35 U.S.C. § 103(a) as being obvious in view of Pavol, Bell, and Anderson. Applicants respectfully assert that neither Pavol, Bell, nor Anderson teach or suggest all of the elements of the rejected claims in view of the amendments and the following remarks. To establish obviousness, the combination of the prior art references must teach or suggest all the claim limitations. See MPEP § 2142.

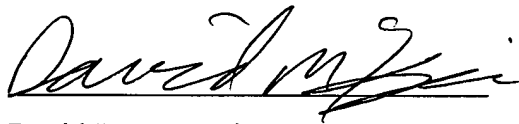
Claims 19 and 20 are allowable because they depend from allowable amended Claim 18. In addition, amended Claim 19 recites “the clip-on spring having first and second ends configured to engage one of the storage device carrier and the mounting surface.” Applicants find nothing in Pavol, Bell, or Anderson to suggest a clip-on spring that does not require a fastener. Anderson clearly shows a fastener 407 used with the clip in Figures 4 and 5. The recited term clip-on indicates that in the claimed invention there are no fasteners for joining the clip-on spring to the storage device carrier or mounting surface.

Applicants assert that because the Office Action has not provided evidence of why one of skill in the art would select the prior art references or combine them. Therefore, this further supports Applicant’s assertion that claims 7, 10, 15, 17, 22, 23, 18, 28-30, 19 and 20 are allowable under 35 U.S.C. §103(a) over the prior art of record.

CONCLUSION

As a result of the presented amendments and remarks, Applicant asserts that amended claims 1, 3-11, and 13-30 are patentable and in condition for prompt allowance. Should additional information be required regarding the amendment or traversal of the rejections of the independent and dependent claims enumerated above, the Examiner is respectfully asked to notify Applicant of such need. If any impediments to the prompt allowance of the claims can be resolved by a telephone conversation, the Examiner is respectfully requested to contact the undersigned.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "David J. McKenzie", written over a horizontal line.

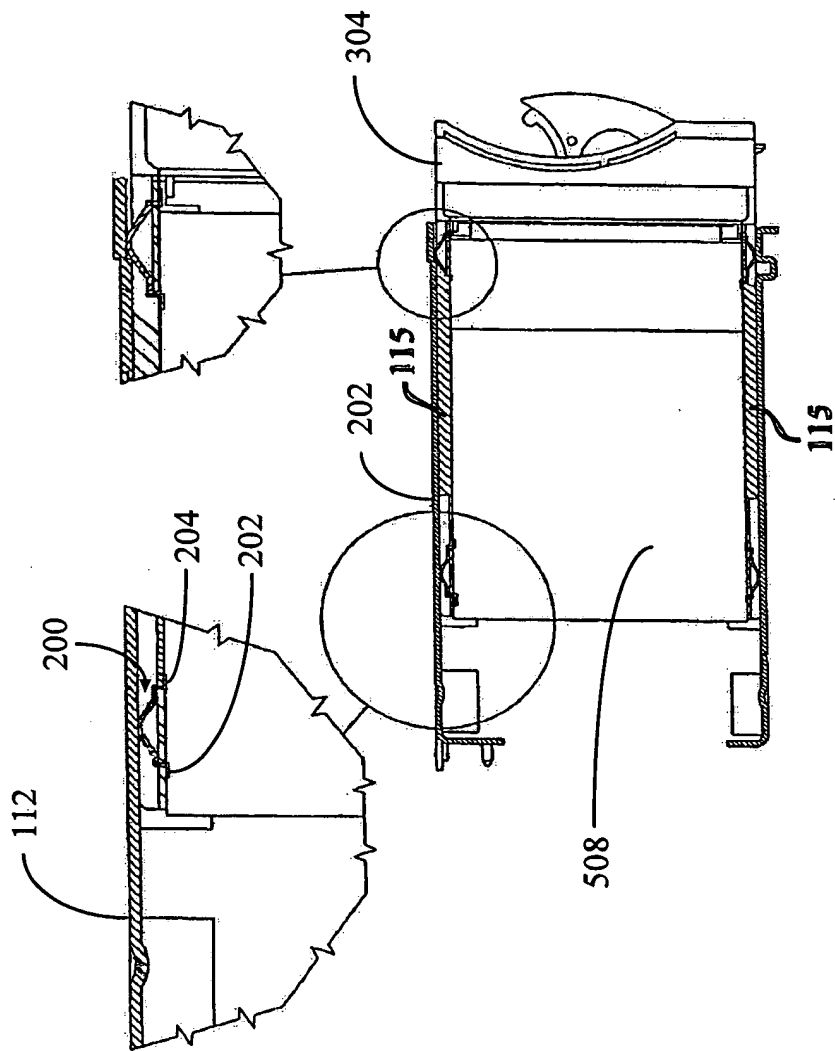
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FIG. 5



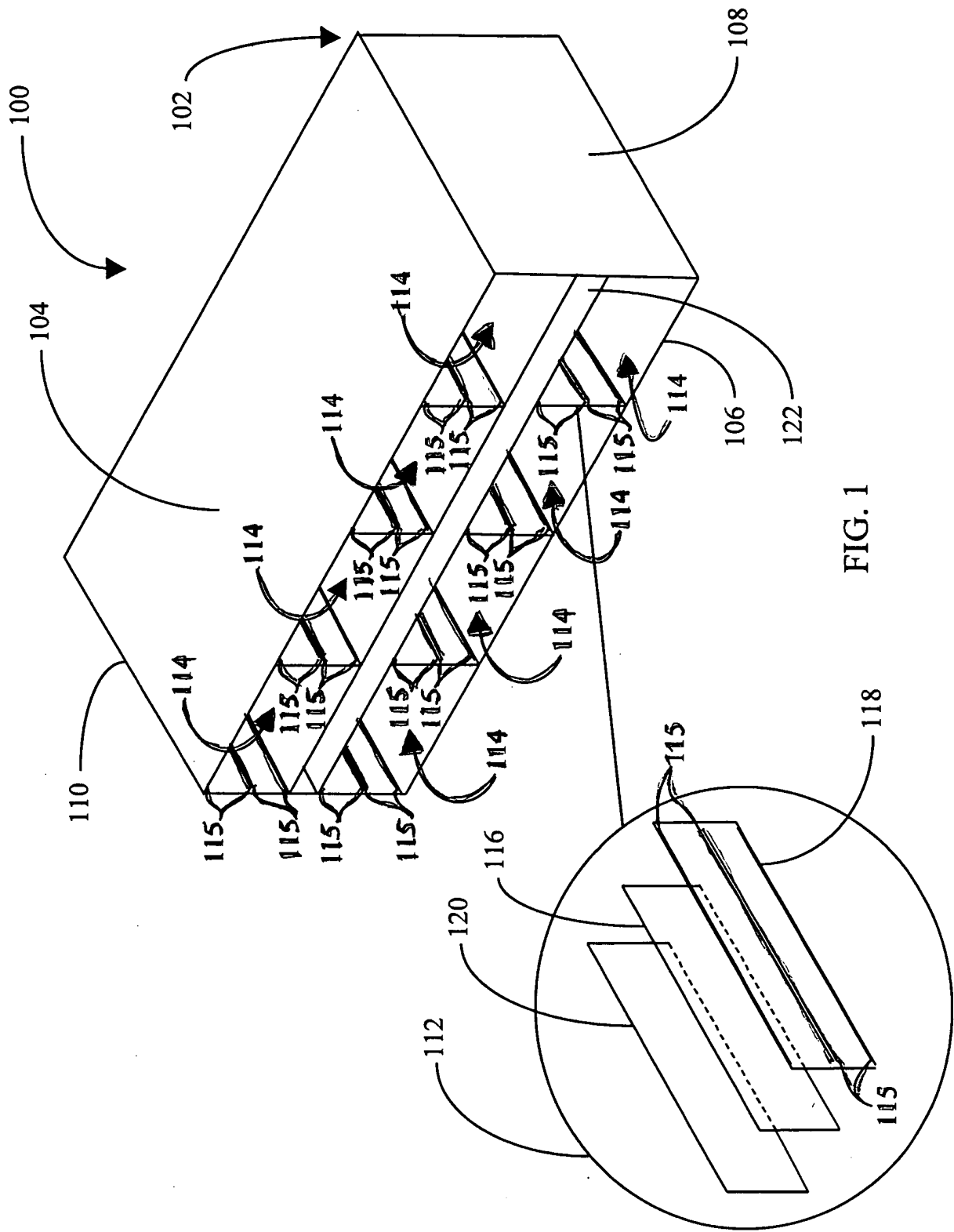


FIG. 5

